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ABSTRACT

This document presents papers from a conference called in 1983 to discuss the possible effects of the Onmibus Budget Reconciliation Act of 1981 on the enforcement of civil rights laws affecting the education of black children, and to chart specific recommendations to guide the work of the National Black Child Development Institute (NBCDI). Following a preface by Evelyn K. Moore of the NBCDI, the following papers are presented: "Excellence and Equity, Quality and Inequality" (Jean Fairfax); "Is There a Valid Link Between Testing and Placement?" (Asa G. Hilliard); "Will Competency Tests Decide the Future of Our Children?" (Richard Jefferson); "Can We Afford to Ignore Vocational Education?" (Carol Gibson); and "How Can We Advocate for Effective Schools?" (Ronald R. Edmonds). Following the papers, recommendations directed at parents, advocates, schools, and policymakers are summarized, readings are suggested, and the NBCDI Board of Directors and conference participants are listed. (KH)

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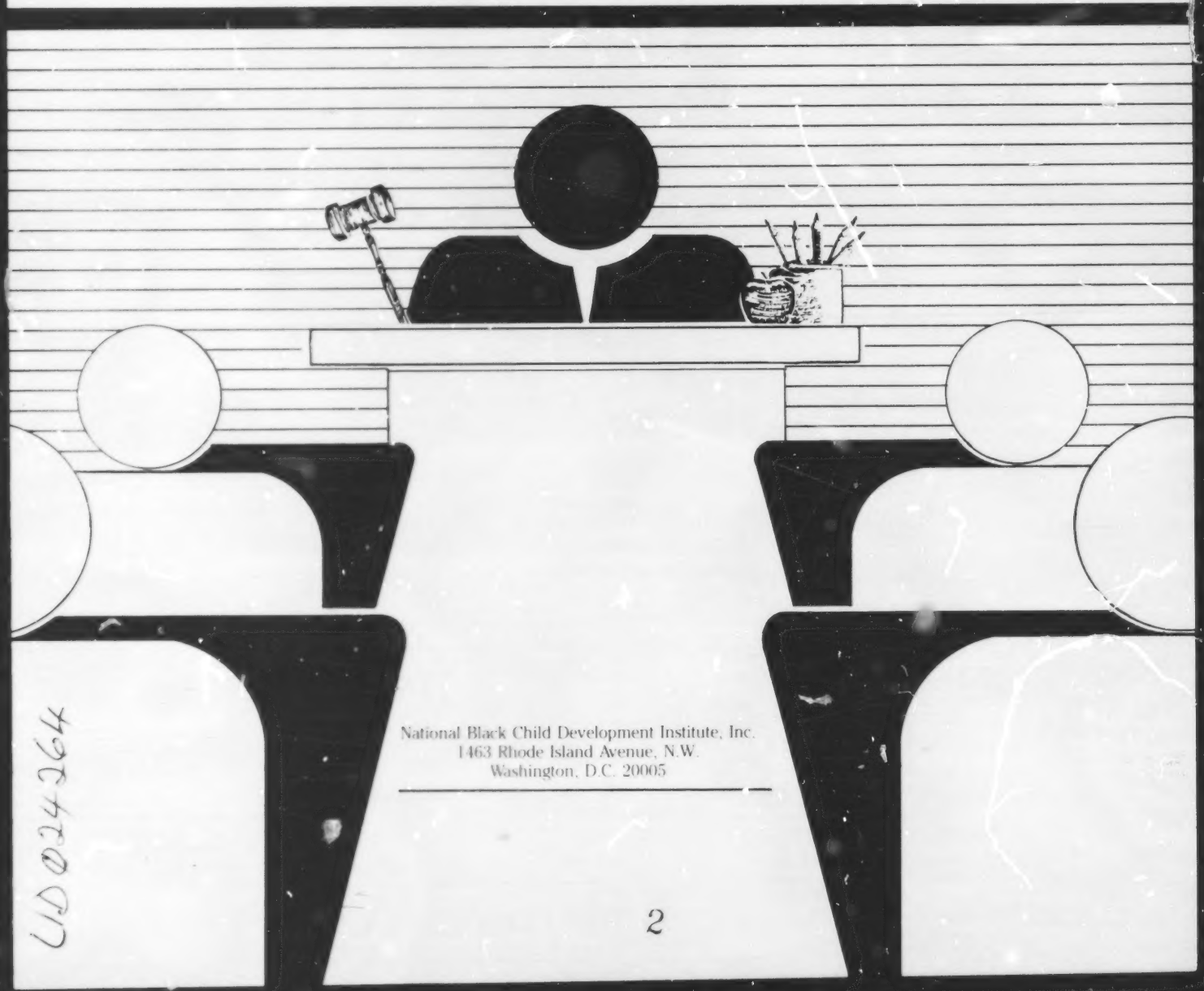
EXCELLENCE AND EQUITY, QUALITY AND INEQUALITY

A Report on Civil Rights Education and Black Children



National Black Child Development Institute, Inc.
1463 Rhode Island Avenue, N.W.
Washington, D.C. 20005

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IN REMEMBRANCE

We dedicate this report to Professor Ronald R. Edmonds who passed away on July 16, 1983. We will remember and honor Ron as a brilliant and dedicated professional who committed his life to improving the quality of education available to children, especially Black children. Ron Edmonds' name has become synonymous with "effective schools" as he addressed the problems which have resulted in the mis-education or non-education of Black children. He distinguished himself as a scholar whose research played a significant role in reshaping public school education in America.

The National Black Child Development Institute has lost not only a committed professional but also a personal friend. As a member of NBCDI's Board of Directors from 1976 to 1981, Ron provided invaluable guidance and expertise in the development of NBCDI's national program.

As a symbol of our appreciation for Ron's dedication to the research, development and implementation of a better educational system for Black children, NBCDI will redouble its commitment to effective education and will rededicate our efforts in this area to his memory.

The essays that appear in this report were largely derived from taped recordings of oral presentations to the attendees at NBCDI's Wingspread Conference in June 1983. With one exception, the essays as they appear in this report were approved by the presentors. That of Ronald Edmonds could not be approved because of his death shortly after the conference. We feel confident that this essay is faithful to his remarks, but readers should be aware that it was not available for his review and revision. The recommendations that appear at the end of this report are the work of a special task force at NBCDI which expanded upon the work begun by conference participants in strategy sessions at Wingspread.

EXCELLENCE AND EQUITY, QUALITY AND INEQUALITY

A Report on Civil Rights,
Education and Black Children

From a Meeting
Sponsored by The Johnson Foundation
at
Wingspread Conference Center
Racine, Wisconsin
June 1983

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PREFACE TO THE REPORT

Evelyn K. Moore
Executive Director, National Black Child Development Institute

Education has always been regarded by Black families as the principal means of mobility for Black children. On a purely statistical basis, the fact that an unprecented proportion of Black students both attend and graduate from school today marks a definite advancement in the future prospects of Black children. Despite these gains, the unfortunate fact remains that Black children still trail white children in educational opportunities as well as in health, family income and employment prospects.

Thirty years after Brown v. Board of Education held that "separate but equal" violated the equal protection clause of the 14th amendment, advocates for Black children have new cause for alarm.

In August 1981, the Omnibus Budget Reconciliation Act, which includes legislation for nine block grants to the states, was signed into law. Of the nine block grants, two lack specific language prohibiting discrimination based on race, color, national origin, age and handicap. Those two grants govern the provision of social services and education.

Among the administrative responsibilities transferred to the states was the enforcement of civil rights laws as they affect these block grant programs, i.e., the enforcement of civil rights statutes such as the Civil Rights Act of 1964. States have been granted broad administrative authority and discretion on how monies will be allocated and how programs will be implemented in their respective jurisdictions. In addition, states and localities are not receiving any guidance as to how these civil rights laws should be upheld. The litmus test with regard to state applications for block grant monies requires only a showing of *intent* not to discriminate. This assurance does not need to be specific; rather, it is inferred as a part of the state's general agreement to comply with all block grant requirements.

The broad discretion granted to states under these block grants could easily undermine effective enforcement of civil rights laws. Regulations explicitly state that in the case of a complaint, the federal government will "ordinarily defer to the state's interpretation of its assurance and the statutory provisions." In essence, this statement defines the future methods for enforcing civil rights laws under the block grant programs. The federal government, which historically has had primary responsibility for upholding civil rights laws in this country, will abrogate most of its enforcement powers in ensuring non-discrimination by the states. As a result of these recent changes, it is the opinion of the National Black Child Development Institute (NBCDI) that the rights of Black children to obtain equal and appropriate services are in their greatest jeopardy since the enactment of the Civil Rights Act of 1964.

And it is primarily in the area of education that NBCDI believes this retreat from civil rights policies and protections will be most critically felt by Black families. The present Administration's callous disregard of prior rulings of federal courts and precedents set by preceding Administrations of both political parties threatens to reverse recent gains and to close the doors of opportunity for Black children.

At the same time, a new emphasis on "excellence" among educators has had the unfortunate effect of relegating "access" to the periphery of the current debate over future directions in our schools. While NBCDI favors any educational innovation that promises to increase the academic performance of our children, we fear that "excellence" in this latest context has the potential for becoming a code word for inequality of opportunity, or worse, for segregation.

It was with these concerns in mind that the National Black Child Development Institute convened a conference of advocates, experts, educators and parents to discuss 'Education: Civil Rights and Black Children." In June 1983, approximately 40 people met at Wingspread, the Johnson Foundation Conference Center in Racine, Wisconsin, to discuss and explore the new educational context for Black children—and to chart out specific recommendations to guide the work of NBCDI's 31 affiliates nationwide.

For the last four years, NBCDI has conducted intensive training programs in selected public policy issues for representatives of its national affiliate network. These Public Policy Training Institutes have allowed local volunteers, many of them lay persons, to examine in detail public policy issues like education, child welfare and child care. Participants interact with federal decision-makers, scholars and policy experts and discuss the mechanics of effective public policy advocacy. The accomplishments of the affiliates, which have grown every year, reflect the success and continued potential of this training technique.

This most recent conference, centering on the link between educational policies and the civil rights of Black children, was perhaps the most challenging to date. NBCDI affiliate representatives were exposed to presentations by a unique group of experts. Presenters included:

Jean Fairfax, Director of the Division of Legal Information and Community Service for the NAACP Legal Defense and Educational Fund, Inc. in New York City

ASA G. Hilliard, Fuller E. Calloway Professor of Urban Education at Georgia State University

Richard Jefferson, Staff Attorney with the Center for Law and Education, Inc. in Cambridge, Massachusetts

Carol Gibson, Director of Career Training and Economic Resources for the National Urban League, Inc. in New York City

Ronald Edmonds, Professor, College of Education at Michigan State University

The discussions which followed each presentation were not without results. Specific recommendations emerged from each topical workshop. These have been further developed by an NBCDI Task Force and follow the speakers' presentations in this report.

It is the belief of the National Black Child Development Institute that equality must never be viewed as peripheral to excellence. Equality is essential to excellence. In this spirit, we hope that this report will serve as a companion volume to the much discussed recent reports on "excellence" and that our report will succeed in reasserting the legitimacy of "access" as a prime point of discussion. Second, we hope that this report may serve as a primer to the new educational context which advocates are now facing in their own local communities. And finally, we hope to share with educators—Black and white—a set of premises which, in our opinion, should serve to refocus the current debate on the quality of our schools. You might call it a Bill of Educational Rights for Black Children. It is the following:

Black children have a right to participate in quality education programs which are free from discriminatory practices and which:

1) lower their representation in classes for the educable mentally retarded;

2) ensure academic achievement at appropriate levels;

3) ensure their eligibility for bona fide high school diplomas when they complete twelfth grade;

4) increase access to choices in postsecondary education or meaningful employment opportunities;

5) encourage the active and constructive involvement of Black parents, guardians, and community and business leaders;

6) integrate goals of desegregation and educational excellence;

7) provide culturally revelant curricula;

8) evaluate and reward teachers and administrators based on their success in increasing student achievement;

9) reflect compliance with federal mandates in various pieces of legislation directed at special programs for children with special needs and for the protection of the civil rights of students.

We have a long agenda and a long way to go to realize it. This conference and the report which summarizes its discussions are steps in the right direction.

Evelyn K. Moore

Excellence and Equity, Quality and Inequality

Jean Fairfax

Over thirteen years ago, when the National Black Child Development Institute (NBCDI) was conceived and launched, we did not know that it would eventually grow to become a national organization with chapters across the country that involve such a wide range of people represented at this conference—legislators, educators, psychologists and other knowledgeable people who are helping Black children in the juvenile justice system, the child welfare system and elsewhere. This is a development in which we can all take pride.

A commencement speaker this year decided to list the seven wonders of the modern world. One of his wonders was a human child. NBCDI, in all of its publications, renews in us our sense of wonder about the Black child. Every time I receive an NBCDI bulletin or calendar, there is an upsurge of joy in me when I see pictures of our beautiful children. In this consultation, The Johnson Foundation has provided the setting, and NBCDI has provided the leadership to enable us to meditate about, and to do some strategizing on, translating wonder and joy into commitment and action. We have an obligation to articulate, to advance, to defend and to fulfill the rights of Black children so that our sense of wonder will result in wonderful lives for all our children.

During this consultation, we will be discussing strategies to ensure that Black children enjoy fully their civil rights that arise from the federal constitution and statutes, as well as from state constitutions and statutes, and that are legally enforceable. That is what a civil right is—a right that is legally enforceable. But before we move into that agenda let us set the larger framework for our discussion and begin to reflect on the rights that children ought to have that are not legally enforceable, but to which we most urgently make a moral commitment.

Each child, and especially each Black child, has the right to be a child, to be a dependent, to be cared for, loved, protected, nurtured.

Each child, and especially each Black child, has the right not to be propelled prematurely into adulthood. When we consider that 50 percent of Black babies are born to teenagers, it becomes clear that there is an urgent need for us as Blacks to address the problems of teenage pregnancy and to protect children from having children.

Each child, and especially each Black child, has the right to hope and to be optimistic about his or her chances of surviving to become a healthy adult. More Black male than female babies are born, but the loss of Black males in infancy and later through homicide, accidental death, suicide, drugs and incarceration in prison is staggering.

Each child, and especially each Black child, has the right to become a productive member of the nation's economy. Yet 40 percent of minority youth are functional illiterates. The employment rate of Black youth in some inner cities has reached as high as 60 percent and will probably not be reduced even as our nation experiences an economic recovery.

Therefore, as we discuss Black children's civil rights, let us not forget about children who are not permitted to be children, about children whose life chances are severely limited by premature parenthood, about children whose chances for participating in the economic mainstream are almost nullified by their poor education, their illiteracy, and their loss of hope. We approach the discussion of civil rights humbly because, for these children, legally enforceable rights may indeed be a meaningless abstraction.

Black children have the right to an education without discrimination based on race, sex, handicap or national origin. And it is important to include national origin in view of the increasing number of Black children from the Caribbean and other areas who are entering the United States either as undocumented aliens or legitimate immigrants.

Each Black child has the right to vocational education and training that is free of race and sex bias and stereotypes. We must recognize that for Black girls, sex discrimination in vocational training programs may be more inhibiting than race discrimination.

Each Black child has the right to participate in nutrition programs and to receive free or reduced-price lunches and breakfasts, if he or she comes from a low-income family.

Each handicapped Black child has the right to an individualized education program.

Each Black child has the right to fair treatment and due process if charged with violations of school discipline codes and threatened with suspension or expulsion.

America has made progress in advancing the state of the law, in expanding the educational civil rights of Black children, and in establishing remedies for patterns of discrimination based on race and sex and for inequities based on income. The nation has also come a long way in shifting the burden for achieving compliance with federal statutes and court orders from the Black child and parent to school districts, states, and federal agencies. However, it is not enough today for advocates of Black children to know what the law is. We must also be very sophisticated in our understanding of the measures that are now being used to prevent Black children from securing their legal rights.

The Reagan Administration has sought to limit the coverage of civil rights laws; to change the definition of nondiscrimination; to eliminate certain remedies designed to overcome patterns of discrimination, especially busing and affirmative action; to weaken federal civil rights enforcement; to ignore violations of regulations that implement key laws; to shift federal responsibility to state or local levels without strings and conditions to assure compliance with civil rights laws; to decrease federal funding for civil rights enforcement agencies as well as for key programs such as Title I (now Chapter 1) and to combine programs that in an earlier period were categorical programs into block grants with fewer federal dollars. The Justice Department has intervened in school desegregation cases, bringing federal prestige and resources to school boards which attempted to reverse integration plans and revert to neighborhood and segregated schools. The efforts of this Administration to undermine victories for Black children—secured through decades of hard work in the courts and struggles in communities for which Medgar Evers and others gave their lives—call for renewed and extreme vigilance by all of us.

As we consider the larger framework within which the contemporary civil rights battles are being waged, we ignore, at our peril, three national debates: the debate about excellence, the debate about integration, and the debate about alternatives to public schools.

In recent weeks, five important national reports on excellence have been released. It is certainly not a coincidence that each of them indicates at least an implied conflict between excellence and equity, between quality and inequality.

- The Business-Higher Education Forum's report, "The American Competitive Challenge; the Need for a National Response";
- The report of the National Task Force on Education for Economic Growth;
- The report of the Twentieth Century Fund's Task Force on Federal Elementary and Secondary Education Policy;
- The College Board's report, "Academic Preparation for College: What Students Need to Know and Be Able to Do";
- The report of the National Commission on Excellence in Education, "A Nation at Risk."

These five reports were commissioned by different bodies to achieve different goals. Their recommendations range over a wide variety of areas and address a number of different issues for public policy consideration. It is interesting, however, that there is a clear consensus in these reports on the urgent need to give priority to excellence.

"The nation," to quote one report, "is at risk as a result of the rising tide of mediocrity and shoddiness in public schools and those in Japan and other industrialized nations are compared. America is pictured as being at a competitive disadvantage, and there is a call for more rigorous academic curricula, longer school days and even school years, better qualified and better paid teachers, and especially for tougher measurements of performance.

Most of these reports include some language, also expressed this last spring in the *Los Angeles Times*, that the pursuit of excellence should not be obtained at the price of equity. However, this does not appear to me to be more than a nod in our direction. There is really no priority commitment to equity. The emphasis in these reports on academic excellence, more rigorous curricula and tougher measurements of performance demonstrates clearly where America's leadership stands as we chart a course for the rest of the century.

This message is being echoed across the country and implemented by state legislatures. Florida was one of the first states whose legislatures mandated a minimum competency test. The state law, providing for two kinds of high school diplomas, was challenged in court by Black plaintiffs, who won a five-year delay in its implementation that expired this year. Forty-seven states now have minimum competency tests of one kind or another, many of which are criticized for setting standards that are too low. We can expect moves to toughen the performance standards for the competency tests that are already in place and to extend these requirements to the rest of the states.

Not satisfied with minimum competency, Florida legislators expressed their concern for excellence in a comprehensive law that mandated higher admissions standards for universities and authorized the development of a "rising-junior" test to qualify students for junior status in public institutions of higher education. This is particularly important because Florida expects 80 percent of its freshmen to enter postsecondary education through community colleges, institutions which inadequately serve Black students. The prediction is that large numbers of Blacks will not be adequately prepared by the community colleges to perform well on the new test and enroll in the upper division of the universities.

The legislature further required that admission at the junior level to all state-accredited public and private teacher training programs would be conditioned upon the attainment of legislatively-prescribed scores on the SAT. The SAT has never been validated as a predictor of performance at any level beyond the freshman year. However one feels about the validity for Blacks of the prediction, the SAT has never been certified as a valid predictor of performance at the junior level and certainly not in teacher training programs. Many people in Florida are concerned that this requirement could eliminate teaching as a profession for Blacks by the end of the decade.

The developments in Florida are being replicated across the country. What is significant to us is that these are not just decisions of boards of regents or institutional trustees, but of state legislatures that are intervening to set standards for admissions, upward mobility, entrance into training programs, and even for graduation from college.

Another major concern raised in the five reports I mentioned is the need to make our nation more literate. Not long ago, New Jersey Senator Frank Lautenberg talked about his concern in his maiden speech in the Senate. A millionaire who has made his fortune at the head of the nation's largest data processing company, Lautenberg stated that "the concept of computer literacy defines a new type of illiteracy and potential for new and distressing divisions in our society. Although 70 percent of schools in wealthy districts have computers, 60 percent of poor schools do not. Computers in homes doubled between 1982 and 1983, but these computers were acquired by the affluent and this process is reinforcing disparities and opportunity."

What we are witnessing is a rapid movement toward a national commitment to excellence, a tightening up of admissions standards and new and tougher performance requirements, many of which are being instituted by legislatures and other policymakers. There is now the expectation that, to be educated, the young of today must be computer literate. This expectation ignores the exclusion of a disproportionate number of poor and minority young people from any opportunity to achieve this new dimension of literacy.

What is the challenge to us in the face of these trends? We must certainly not sit idly by on the sidelines, wringing our hands. We must not be perceived as anti-excellence. It would be most unfortunate if Black people were perceived as being defensive and against quality and high standards. No community needs excellence in professional services more than our Black communities. No children need the best teachers more than our children. No students need to be

motivated to achieve more than our Black students if they are eventually to enter the economic mainstream. This is a credentialing society, and it would be counterproductive for us to be perceived as moving against high requirements, excellence and quality.

However, we must insist that the standards for performance are adequately validated. We must participate in the establishment of measures of performance so that we can be sure that our young people are adequately evaluated and that they are being tested for what they have been taught. Furthermore, we must put the accountability for results on the educational system and not on the child. I was pleased that someone here reported that her school system had devised accountability measures for teachers and for schools. We must not protect incompetent teachers, incompetent administrators or incompetent board members. We must put accountability where it belongs and assure that people are qualified to teach our children whom we believe to be teachable. We must identify new patterns of inequality, such as the inequitable access to computers, and let our systems know that we are going to challenge them.

We do not have much time. The coincidence of the release of these five major reports within such a short period of time should put us on notice that the trend toward higher standards of performance is accelerating.

The debate over integration is not new, but it has new dimensions. If one relied solely on the press, one would believe that the debate centers largely on massive cross-town, forced busing and that Blacks are split on the issues of both busing and of integration, particularly where busing is involved. But Blacks are concerned about what is at the other end of the bus ride and about desegregation that is essentially one-way busing with all the burden on Black children. What I have found is that Blacks are still ready to pursue desegregation where it is technically feasible, where the burden is shared equally among Blacks and whites and where the time on the bus is not unreasonable. Many desegregation plans that involve transportation do not really require more time on buses than was the custom when the school districts were segregated.

The NAACP Legal Defense Fund is involved right now in a very exciting inter-district school desegregation case in Kansas City, Missouri, and we are challenging the efforts of the school board in Norfolk, Virginia, to abandon their present integration plan and revert back to a neighborhood school plan.

A few weeks ago, 10,000 people marched in Norfolk, protesting the school board's actions and affirming their continuing demand for equal educational opportunity, even though it requires a substantial amount of busing. It is a sign of the times that the protest march was not reported on national television. Few people outside Virginia even know that Jesse Jackson and 10,000 desegreation advocates were in the streets of Norfolk. This is not the message that the media want to transmit right now. What they consider news are organizational squabbles in the Black community and the Blacks who are fighting affirmative action, goals and timetables and busing as effective desegregation measures.

Therefore, Blacks must communicate to the media and to white leadership our true feelings about integration. First, that there is a continuing interest in integration. And, moreover, that there are a number of communities—especially in the Midwest, the Northeast and the West—which the civil rights revolution in education has not yet reached. These are school districts where desegration is technically feasible, where schools could be reorganized with a relatively modest amount of busing and where Blacks would enthusiastically support that effort.

Second, we must communicate to the media and to white leadership that Blacks have not abandoned concern for children in those school districts where a substantial amount of pupil desegregation is not technically feasible. There is a growing effort by organizations like the Legal Defense Fund and Black community leaders to explore other remedies to discrimination in education in such districts. LDF is now exploring the feasibility of filing a suit that would challenge inequities in funding between a majority Black school district and the surrounding suburban districts that are majority white and affluent. There are overwhelming disparities in resources from the state. We are eager to be involved in this suit that would require a different lineup of plaintiffs and defendants than our usual school cases. This new aproach to equal educational oppor-

tunity poses no conflict for us even though our traditional vehicle has been desegregation. It is a sign of maturity that the traditional forces for integration and the Black community leaders who have resisted continuing the pressure for integration when it is no longer feasible are coming together in joint explorations for new remedies. A focus on the financing of major Black school districts is an urgent area for such explorations.

Third, we must publicize our expanded concept of integration that is being implemented in some important and exciting developments in higher education. Largely as a result of LDF's suit, that was filed in 1970 as *Adams v. Richardson* and is now *Adams v. Bell* (and will be *Adams* v. all other secretaries of education until well into the 21st century), the statewide integration of public postsecondary education systems and the enhancement of their traditionally Black institutions are being implemented as mutually supportive objectives in advancing the larger goal of justice for Blacks in higher education. Our nation has 19 states with a previous history of legally enforced dualism in education. Every one of them is in litigation at the present time to dismantle its dual system, and LDF is involved in most of the suits.

Most Black Americans do not know that not one of the Black public colleges has been closed or downgraded. All of them have received new resources. Their facilities are being improved; their program offerings are being strengthened and they are reaching out to new constituencies. At least one of them is involved now in a total reorganization of its educational program. Kentucky State University, under the plan that was negotiated with the Department of Education's Office for Civil Rights, will become the state's residential liberal arts college. Its curriculum will be patterned on the St. John's University plan, for the first two years, with students having the option to continue in that curriculum or to enter into various pre-professional programs. Cooperative agreements have been worked out with the state's professional schools that promise guaranteed admission to a certain number of Kentucky State graduates throughout the life of the plan. The University will also become the exclusive provider of whatever advanced training the state subsidizes for its own employees—thus capitalizing on its location in the capitol city. The University's new president, Raymond Burse—a Harvard Law graduate, former Rhodes Scholar and, at 32 years, one of the nation's youngest university presidents—is really going to turn that institution around. Kentucky State University is the most exciting model of a predominantly Black institution that is aggressively moving into the future with a new mission.

As we shape our integration goals during this era, we must do far more to assure the integration of administrative and teaching staffs and an enhanced role for Black educators at all levels, regardless of the nature of the student desegregation plan. Black students need role models. The presence of Blacks in senior positions positively influences retention. And Blacks in senior positions have a right to equal employment, opportunity in educational institutions.

Our job is cut out for us. In the face of drastic budget cuts, reduced federal involvement in education, and weakened civil rights enforcement in the Justice and Education Departments, we have a President whose agenda is school prayer, tax credits, vouchers and block grants, and who remains totally insensitive to the real needs of Black children.

Finally, as we develop our integration agenda, we need to face frankly the new potential for inter-ethnic tensions in education. One immediately thinks of Texas, Florida, California and some of the larger cities in the Midwest and the Northeast so far as our relations with Hispanics are concerned. But there is also an increasing number of Asian families in many of our communities and school districts. We do not like to discuss this issue in public, but we must do so. I dread to think of the kinds of inter-ethnic conflicts over educational issues that could tear our communities apart if we do not identify and address them.

We need to find areas of common cause. Many Black groups supported the Texas case that led to the Supreme Court's ruling that children of undocumented aliens—in this case, children of Mexicans—have joined with the Hispanics and Asians in promoting bilingual education. In March of this year, LDF, Equal Rights Advocates and the Mexican American Legal Defense Fund secured a stunning victory that resolved a complaint that we had jointly filed in 1981 in which we had charged the California Community Colleges with fostering discrimination in apprenticeship programs. California's system has over 100 campuses with apprenticeship programs

located on campuses across the state. With one complaint, we got a Corrective Action Plan that puts the burden on the system to assure nondiscrimination on the basis of race, sex and national origin in all apprenticeship programs statewide. We must pursue more strategies like this that demonstrate positive inter-ethnic collaboration and that seek system-wide results with a relatively modest investment of resources.

However, we must also be alert to emerging problem areas. Whites will try to pit Blacks against other ethnic groups. And during periods of shrinking budgets, these groups, where they have a numerical or leadership advantage, may plan only for themselves and ignore the needs of Blacks.

Reviewing the proposed desegregation plans that are submitted by Texas institutions of higher education to the Department of Education, I was deeply troubled to note that some reported that they were concerned only with the Hispanic minority, even though they had a Black enrollment that was only two or three percent in a state where the Black population is 14 percent. Although the Black population is unevenly distributed around Texas, no public institution with a statewide or regional mission can be allowed to target its efforts only on behalf of one group or to establish turfs in public institutions that might make it difficult for Blacks to get the preferred jobs, the kind of student financial aid and the support services that they need. As the traditionally Black institutions are being pressed to reach out to new constituencies, it would be ironic indeed if inter-ethnic tensions involving other nonwhite groups were to impede the drive to achieve genuinely integrated systems of higher education statewide.

I strongly encourage the National Black Child Development Institute to schedule a conference that would be entirely focused on the third national debate, public versus alternative forms of education, and specifically on why Blacks should be concerned about this issue. We can understand parental disenchantment with public schools that are unresponsive to the needs of their children. We can sympathize with school boards and administrators who are overly burdened by the responsibilities that have been levied on them to solve the nation's social and economic problems. So one begins with understanding and sympathy for both the customers and the providers who are equally tired of and frustrated by the public sector of American education.

But Blacks need to come to terms with the reality—the public sector is where the action is. The vast majority of Black students, whether at the precollegiate, collegiate or graduate levels, are in the public sector. To abandon the public sector is to abandon those young people who are most in need of advocates. Many of the efforts to find alternative forms of education and to get them funded from the public treasury are being championed by predominantly white, ultra-right wing groups or by sectarian bodies. This is generally not the case among Blacks. With a few important exceptions, Black advocates of alternative schools are seeking quality education in a disciplined environment and not centers for introduction to particular ideologies. But Black support of the concept of alternative education outside the structures of public accountability—inadequate though these are today—strengthens the forces that have the potential for undermining public education in America. The inevitable result will be negative impact on the masses of our children for whom an escape from the public system is not an option.

Blacks who are concerned about public education must devote their energies to advocating alternatives that can occur with the public sector, rather than outside it. I am convinced that an increasing number of school officials are prepared to explore various forms of alternative education within the public sector—not alternatives that are substitutes for desegregation nor magnet schools that cream off the brighter and more motivated students while leaving the masses in schools that no one cares about. There is a need for more experimenting. If we can devote our energies toward exploring some of these possibilities within the public school system, we will be strengthening the schools where our children are while we get rid of our frustrations creatively.

I would also suggest that the National Black Child Development Institute could provide a useful clearinghouse service by sharing information about experiments nationwide that are working positively to strengthen public schools. What kind of support are you getting? What obstacles have you successfully overcome? Recently, I visited a large Black church with handsome educational facilities whose pastor was under heavy pressure from members of the congregation to establish a private academy. I was overcome with vivid memories of Prince Edward County, Virginia, and Mississippi communities where white parents withdrew their children from public schools and enrolled them in academies organized by White Citizens Councils, many of which were in churches. A generation later these communities have not recovered. To replicate this development in Black communities under Black leadership would be a most unwelcome epilogue to a tragic era in American social and educational history.

Many of our institutions will face demands to provide facilities for Blacks who are worn out, angry and frustrated with the public schools. We must channel their talents and energies into constructive efforts to strengthen the public schools and to prevent greater institutionalization of social class divisions that are already threatening the Black community.

Our agenda for the future is a full one. But our resources and talents—as evidenced by those attending this conference—are impressive and growing. I urge you toward thoughtful advocacy for our children, to direct your energies toward real solutions, toward those projects which can make a significant difference in the growth and development of Black children. If we choose carefully and work wisely, I assure you we will not fail to make our mark.

IS THERE A VALID LINK BETWEEN TESTING AND PLACEMENT?

Asa G. Hilliard

The ultimate goal of this conference as I see it is to surface the civil rights issues associated with a series of educational concerns, one of which is testing. It would be a mistake, however, to pass over some of the substantive aspects of educational testing, as these throw a great deal of light on our civil rights concerns. So let me begin by reviewing with you a series of questions which are used routinely to assist educators in determining the proper placement for children. These questions are part of the maze of experiences that lead to the assignment of our children to special education programs. As such, I think you will find them very interesting. These questions are, for the Black child particularly:

Is the Black child's achievement satisfactory? If not, this response triggers a whole series of actions to determine if special education is called for.

Is the Black child visually impaired? Is the Black child hearing impaired? To answer those questions, certain medical tests are performed.

Is the Black child speech impaired? This question leads to the first set of ambiguous assessment instruments.

Is the Black child mentally retarded? To determine this, IQ tests are almost always used.

Is the Black child mentally retarded, but able to learn at least some of the lessons the school teaches? Again, IQ tests are used.

Is the Black child hyperactive? For that question there are another set of 'non-tests' or observation schemes.

Is the Black child learning disabled? Rarely, as this is a white category. White children are more likely to be called learning disabled while Black children are more likely to be labeled mentally retarded.

Is the Black child emotionally disturbed? For this you get into psychiatric interviews and personality tests.

These are the types of questions that generally lead a child into a special education program. The outcome of each test is linked to a certain assignment or program. These programs range from "pull out programs," essentially remedial in nature, which try to fix what is wrong, to "custodial programs," in the case of mental retardation in particular. There are placements for emotionally disturbed children, for learning disabled children, for the mentally retarded, educable mentally retarded (EMR) and speech impaired child.

More questions need to be raised about these programs. Typically, we tend to raise questions at the point that more Black children are found to be deficient than white children. And, typically, our first inclination is to raise questions about the tests—and that's right. Unfortunately, we fail to raise several other questions which are equally important, such as:

Does a disability like hearing impairment create a problem academically?

Is it possible to be orthopedically handicapped and, for most schools, not create a problem academically?

Does the school have a valid treatment—not *a* treatment, but a *valid* treatment—for the category in which they place children?

If you identify a child as mentally retarded or EMR, will special placement make a difference? Assuming that your first guess was right, does putting these children with children like themselves change the academic results? The answer is no, especially with EMR.

Almost all our arguments—in the legal, educational and professional areas—address the validity of tests. Yet a person cannot meaningfully determine the validity of tests unless these tests have a meaningful and valid link to the instructional remediation process. To have a "good test" and not be able to do anything about the condition if you find it does not justify the use of that test in the educational environment. What is the purpose? There must be a link between the testing process and the instructional process. This is as important as whether the test is valid or not.

When we look at the results of testing on Black children, we see a number of discouraging but interesting outcomes:

There are more Black children placed in EMR than there are white children, nationwide. EMR is a "soft" category, whereas a look at "hard" categories of assessment, like visually impaired, hearing impaired or mentally retarded, show almost no disproportion between Black children and white children. EMR is the category where there is perhaps the greatest imprecision in assessment, and this usually works to the disadvantage of Black children.

There are more Black males in EMR than there are Black females and more Black males than either white males or white females proportionately.

It is important to note that the Office of Civil Rights, which set up the rules for surveys of mentally retarded in public schools did so in such a way that you can find out what the disproportion is between races, i.e., between Blacks and whites, and you can find out the difference between the sexes, but you cannot find the disproportion by race *and* sex. You cannot get the difference between Black males and females.

The only way to find out the actual situation which assigns disproportionate numbers of Black males to classes for the mentally retarded is to conduct special surveys. Such a survey was conducted in several cities recently and the results for Black males as compared to white males were much worse than if you had simply compared Black against white. While in some cases three times more Black children than white children were placed in classes for the mentally retarded, some classes for the mentally retarded were composed almost entirely of Black males. There is a special problem here which raises questions about the validity of assessment.

A second finding of this survey is that EMR rates vary by state. Not every state has the same disproportion of placement in classes for the mentally retarded. For example, the average percentage of minority children in EMR classes exceeds the average percentage for whites in every state except New Hampshire, Vermont, West Virginia and Iowa—all states with small numbers of Blacks. Of those states with more than 10% minority enrollment, the average EMR rate for minorities ranges from a low of .85% minority to a .59% low for whites while the high in those states is as high as 9% minority enrollment in EMR classes compared to 2.46% for whites. While the magnitude of the difference varies from state to state, as does the degree of consistency among districts within states, EMR disproportion by race or ethnicity is a nationwide phenomenon.

But even if our children were being properly assigned to special education programs—and I do not think for a moment that this is the case—the question we must continue to ask ourselves is whether, by putting a child into a special category, there will be improved academic performance as a result. Such evidence as exists suggests the opposite, that the individual education plan is not a pedagogical device, but an administrative procedure.

Let's take a look, for example, at team assessment as it is practiced today in our schools under Public Law 94-142. I suggest to you that this is not a pedagogical or psychological procedure, but a legal procedure. Whatever was intended by the public law is not being carried out in practice, and that conclusion is drawn on the basis of surveying all available data nationwide. Individual education plans (IEPs) are pro forma. When you observe what is actually taking place in these team assessments, you see a few individuals, usually school administrators or psychologists, tending to dominate the meeting at which placement decisions are made while the parents and students play a relatively passive role. Occasionally, school personnel actually meet in advance to iron out all differences so as to be able to present a united front to parents. Although a variety of data are presented, the team still relies heavily on IQ scores and achievement measures for labeling a child mentally retarded.

How many times must we say that IQ assessment is not equivalent to diagnosis; therefore IQ testing is not, and never has been, validly linked to educational treatment? For too long we have exhausted our energies arguing about the validity of the test when we should have been focusing on the link between the test and the remediation. Let me share with you some conclusions, based on my own research and that of others:

The predictive power of IQ does not make it a good measure of mental processes. Just because it predicts well

doesn't mean it's a measure of mind. IQ tests are based not on fixing the problem, but on predicting the future accurately.

EMR may be more an administrative convenience than an educational necessity. This conclusion was drawn after a thorough review of the literature on testing, searching diligently for any evidence that assigning people to special classes results in educational benefits.

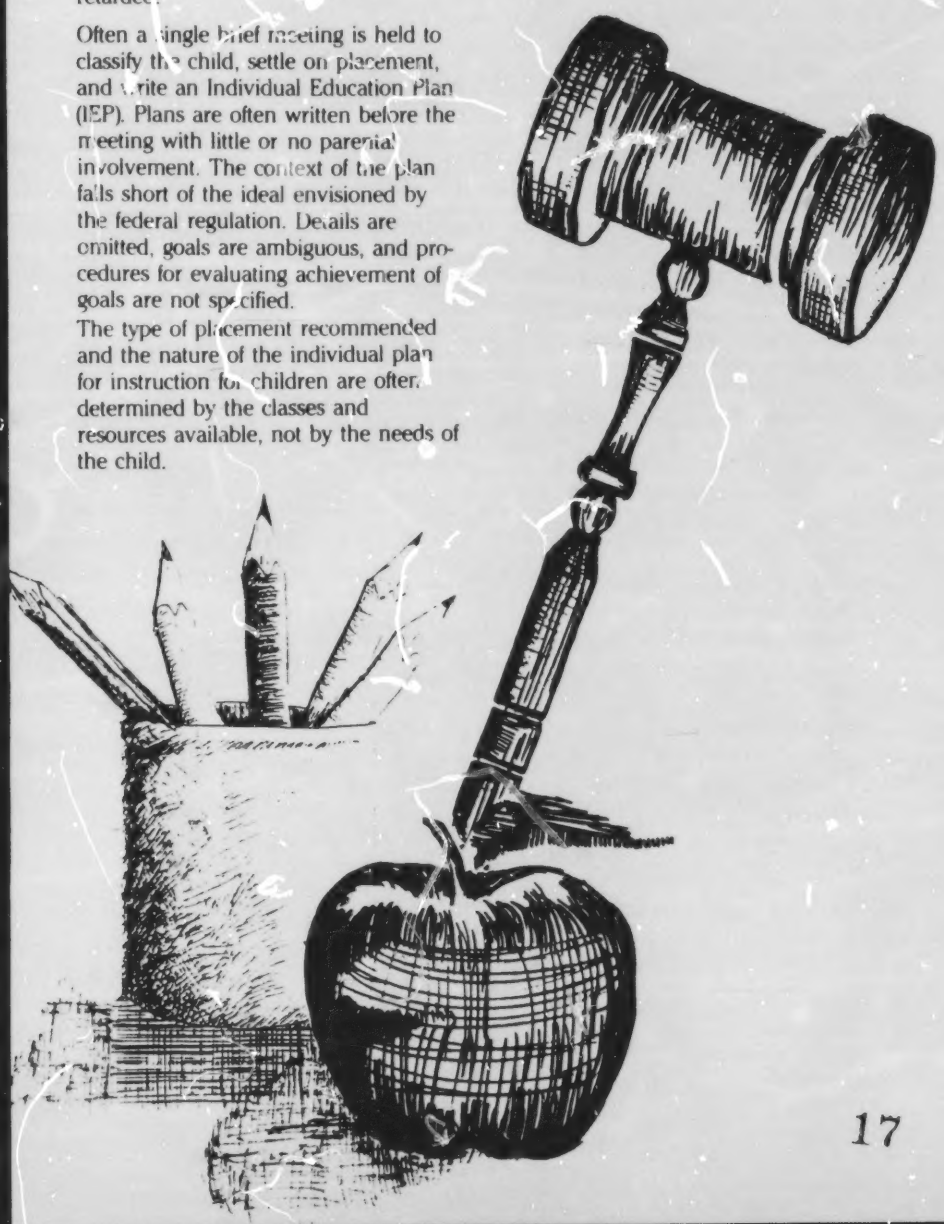
Although a variety of data is collected on each student, members of placement teams still rely heavily on IQ scores and achievement measures as a basis for labeling the child mentally retarded.

Often a single brief meeting is held to classify the child, settle on placement, and write an Individual Education Plan (IEP). Plans are often written before the meeting with little or no parental involvement. The context of the plan falls short of the ideal envisioned by the federal regulation. Details are omitted, goals are ambiguous, and procedures for evaluating achievement of goals are not specified.

The type of placement recommended and the nature of the individual plan for instruction for children are often determined by the classes and resources available, not by the needs of the child.

Despite several decades of research, it remains difficult to gather definitive evidence on the nature of effective instruction for mildly retarded children. In lay language, that says we don't know what we're doing in EMR classes.

These conclusions which I have shared with you are time-bombs for the future. I hope you can now see why it is important to link your critique of the testing practices with the instructional practices with which they are supposed to be associated. And I hope that these insights will help you all to be better advocates for our children.



WILL COMPETENCY TESTS DECIDE THE FUTURE OF OUR CHILDREN?

Richard Jefferson

To judge from my own experience in challenging competency testing and student assessment programs in the State of Florida and elsewhere, advocates for Black children in the next few years will need to be able to anticipate the consequences of these tests for Black children in their communities and to fight for better programs by relying on the experiences of other communities nationwide. That's a very big charge. I hope I can lighten it somewhat by sharing with you some of the negative traits of these programs and how we have been able, in some cases, to work around them.

There are a number of problems that accompany competency testing programs, especially those programs that include the sanction of diploma denial as a consequence of failing the test. The problems show themselves in many different ways, and I would like to devote my time to helping you identify these problems as they are likely to surface in your home towns and to give you some practical advice about how you might approach them.

Among the problems I would like to discuss are the following:

1. the problem of content: what happens when schools don't teach the lessons children are tested on?

2. the problem of responsibility: who bears the consequences when students fail the tests?

3. the problem of objectivity: do the tests reflect the race and language bias that exists in the schools?

4. the problem of preparation: do students and teachers have an adequate opportunity to prepare for the introduction and implementation of these tests?

5. the problem of remediation: how good are the programs that accompany tests?

6. the problem of the narrowing curriculum: what gets lost in preparing to pass tests?

7. the problem of effect: do tests push out underachievers and encourage them to leave school?

Let me preface my discussion of these individual points by saying that the totality of these problems should convince you of the inadvisability of linking competency tests to high school graduation. One of the things I would urge you to be very vigilant about is this: if those kinds of programs are coming your way and you can't stop anything else, stop the diploma sanctions.

There are many states and localities that are putting these testing programs into effect without the diploma sanctions, and you will be far better off if you can eliminate this especially deleterious aspect of the program.

As background to those seven characteristics of competency testing programs, let me review with you the Florida case in which I was recently involved, Debra P. v. Turlington, which was filed by a group of Black students statewide in 1979. Basically, the litigation addressed three major concerns:

> the largely disproportionate failure by Black students who failed at a rate ten times higher than white children and would, therefore, have been denied high school diplomas at that same rate;
>
> the consequential segregation of remedial programs that followed that result;
>
> due process considerations such as how quickly the testing program was put into effect, the lack of preparation for teachers and students and questions about whether the material in the test had been adequately covered in the various school districts.

This leads to our first problem—whether the schools are teaching the material on which students are being tested. This is a very basic and pervasive question. Because of the independence of school districts and the wide variety in curriculum, the level and type of instruction given students varies widely from school district to school district and from school to school within districts.

If you know that these programs are coming down the road, I urge you to step up your monitoring efforts. In this context, it becomes all the more critical that you develop the capacity to gather information on the different types of instructional curricular emphasis in the various schools, in order to effectively pinpoint the deficiencies.

If you can document that kids in one school or district didn't get the information or the instruction that students in another school did, then you will be able to raise this issue forcefully in the legislature and before the State Board of Education. Perhaps you can even make the problems felt before it becomes necessary to go to court. You may be able, for example, to use some preventive medicine to avoid the problems faced by others who waited too long and had to resolve the issues in court.

The key is to make sure what is tested is taught in the schools. For example, a set of tests referred to as functional literacy tests apply every day academic, computational and communication skills to what are called "real life problems." In reality, it is frequently the case that the actual applications of the problem have never been taught and the child, therefore, cannot perform the exercise.

A classic example of this is the check writing problem. Checkbook balancing questions assume that if children can do simple arithmetic calculations, they can perform the complete task of balancing the checkbook. To the contrary, we found that children learn those skills elsewhere, not in school, and that the sight of a checkbook is intimidating to some children. The children assume that the problem is more difficult than the simple arithmetic calculation posed. Black children have had problems with those kinds of questions because, unlike the white children, many of their families don't have checking accounts. Some of the white children, moreover, have their *own* checking accounts. These types of questions have really posed problems for our children by injecting certain biases in the testing which place our children at a distinct disadvantage through no fault or deficiency of their own.

The next critical question is to determine where the consequences of failure fall—on the teachers, school administrators, school boards or legislators? or on the students? It is interesting that competency testing programs have been aimed at accountability in the schools. Yet, despite the implications that someone is not doing the job, the remedies to failure rarely include more money for teacher training or for designing more responsive programs. What happens instead is that students are denied diplomas and that's the extent of it. Even where there are remedial programs, they are too often inadequate or poorly grounded in pedagogical research or experience. Thus, these programs end up by blaming the victim.

Next, we have the issue of whether the tests reflect the discrimination which already exists in the schools or other biases in the larger society. The fact that, by law and custom, non-white and non-English speaking students receive separate, different educational opportunities—usually inferior in quality—is a significant contributing factor to the high incidence of failure for competency tests. We found particularly that the process of desegregation has established a whole new set of problems to deal with—the problems of Black children being disproportinately placed in Educable Mentally Retarded programs; the problem of how Black children are directed to and tracked along the less than desirable academic programs; and the problem of disproportion in disciplinary sanctions against Black children. All of these factors affect how well the Black child is able to take advantage of the educational system and consequently how they perform on these tests.

There has been a lot of attention given to the issue of phase-in time, to the fact that many testing programs were suddenly instituted when children were in the tenth and eleventh grades. These students were suddenly informed that there were new rules to the game, that new testing procedures would be used. That gave the students no opportunity to study. It gave the teachers and administrators no opportunity to prepare the students. It deprived the school system of the opportunity to make adjustments and to deal with some of the deficiencies created over the years before these tests were instituted and before they contemplated using tests to decide who would and who would not receive a high school diploma.

This raises questions of due process and, in fact, was one of the main reasons we were able to get the test enjoined in Florida for the first four years—by arguing

that the whole institution had not had an opportunity to respond to this changed requirement. If you have an opportunity to have an impact on these programs, at least try to see them phased in. There is much that can be done in the interim to help Black children prepare. For example, in Florida, where we did have the benefit of four years to prepare, the Black failure rate has gone down considerably—and while it is not yet at the level we would like to see it, it's a lot better than it was four years ago. I believe that is due to the phase in.

Then there is the question of remedial programs. First, in most jurisdictions the remedial programs are inadequately funded to meet the substantial need as evidenced by the massive test failure. Second, there are few statewide standards governing the design of the remedial programs. What are the baseline requirements? The problem is not as acute where the programs are local-or municipal-or county-based, but in state-based programs, you are sure to encounter this problem. Begin to address this problem by insisting on an articulation of standards, expectations and requirements.

One of the other problems we find with remedial programs is that, since the sorting process is flawed, children are assigned to these programs who don't belong there, with the result that they are unfairly and often permanently deprived of other educational advantages. Their curriculum is narrowed and with it their opportunities. With the institution of testing programs, there is a great deal of emphasis placed on getting everyone to pass, doing whatever needs to be done to pass. The emphasis is on the "basics" to the virtual exclusion of music, art, drama, speech and other "peripheral subjects." We don't want to fight excellence, and we admit that the basics are very important, but we must find some way not to so limit the curriculum that Black children are denied the opportunity to fully develop and grow, to experience cultural as well as academic curiosity.

Finally, one of the saddest commentaries regarding competency testing is the effect they are having on students. Students are being pushed out of the schools and discouraged from continuing due to poor performance on these tests. In Florida, North Carolina and other places, I spoke time after time with parents and kids who had given up. Once they'd failed the tests a couple of times, even though they had chances to take it again, what was the use? What's the sense in plodding through school only to fail this test? "I'll drop out of school," became the inevitable resolution of an intolerable and humiliating situation.

In these cases, the cure may be worse than the disease. Several studies have been conducted which suggest that students who were not able to pass tests very similar to functional literacy tests, nevertheless managed to get into college and to get out—with their degree. They weren't stars. They performed adequately. One of the saddest commentaries of this whole process is that we're going to lose a lot of kids because of their poor test performance. And make no mistake—these kids are lost for good. The door of opportunity, of upward mobility, that education once promised them has slammed in their face. They will not be able to get the credentials they need to keep the door open for the future, whether that be college, additional training or employment.

I hope this litany of the problems associated with competency tests will help you identify them all the more readily as they appear in your own communities. Indeed, I hope they help you protest them before they arrive in your communities. And I urge you to be ever vigilant about making the necessary adjustments in competency testing so as to keep open the doors to our children's future.

CAN WE AFFORD TO IGNORE VOCATIONAL EDUCATION?

Carol Gibson

The debate between W.E.B. Dubois and Booker T. Washington regarding the role of education for Black students has long occupied Black people. DuBois' position was that Black progress depended upon a highly educated Black elite. Washington regarded this as an excess for a Black population whose best hope for political and economic survival lay in practical training for technical and agricultural occupations. If there is one subject that epitomizes that continuing conflict today, it's vocational education.

While I share my colleagues' concern that many of our students are being ill-served by school systems which do not allow them to reach their full academic potential, I am also concerned that there are a lot of students that we don't deal with at all in discussions like this, and I think we don't deal with them for some very good historical and traditional reasons.

One of the reasons we as advocates have not looked at vocational education is because of our other priorities and because of our limited resources—but I would like to suggest that this is an increasingly significant discussion for us to have. I feel strongly that the time has now come to consolidate these conflicting viewpoints so that Black people may advocate more effectively for quality education and equal access for Black students. I hope this discussion can make some progress toward such reconciliation.

Let me begin by tracing briefly the history of vocational education in this country. It's a very interesting history. We often hear that the federal government did not intervene in education until it came into the desegregation issue and education for the disadvantaged. The truth is that the federal government was involved in vocational education as early as 1911. In fact, the impetus for vocational education grew out of discussions among American educators as far back as 1880 regarding the role of the public school.

This was an era when it was felt that education would benefit from a widespread discussion of its purpose and methods. Key questions of the time were: Should education be for everyone? What should public schools be expected to provide? What do we do with all the children of farmers who are migrating to our cities? What kind of program should we offer them? This was an era when most families did not have the resources to send their children to college. They expected an imediate return on their investment in 12 years of schooling.

In 1917, the federal government became involved in vocational education with the enactment of the Smith-Hughes Act, which made a perpetual grant to states to promote agriculture, trade, industrial and home economics education. It was not until 1968, however, that Black students were brought into vocational education legislation. The 1975 amendments to the vocational education legislation sharpened the targeting provisions and added sex equity language.

That brings us up to the present. The paradox of the current situation is that while Congress has maintained the funding level for vocational education, it has weakened the language of the legislation, and there appear to be few friends in Congress who are fighting to retain the stronger language. There is even greater cause for alarm in that vocational education issues are gradually being submerged in discussions of math and technical education. Most of the recent reports on education do not focus on vocational education and training and present no recommendations for improvement. There are some important exceptions.

We hear a lot about the report "A Nation at Risk." In the first paragraph of the findings, it says:

> Secondary school curricula have been homogenized, diluted, and diffused to the point that they no longer have a central purpose. In effect, we have a cafeteria-style curriculum in which the appetizers and desserts can easily be mistaken for the main courses. *Students have migrated from vocational and college preparatory programs to "general track" courses in large numbers.* The proportion of students taking a general program of study has increased from 12 percent in 1964 to 42 percent in 1979.

Understand that this Commission was not interested in Black votes. In looking at education and the future, this Commission recognized that vocational education programs have something to offer to students. This conclusion is confirmed if you look at the category under which they considered vocational programs. There is no reference in the index to vocational education. This Commission looked at vocational programs as parts of other critically important categories: science, mathematics and technical education. While Commission members

talked to vocational education people, they reported their findings under another rubric: education for a productive role in a productive society. So don't be fooled when you look at this Commission's report and don't find any place where they considered vocational education as an isolated entity—they looked at it as an integrated part of the secondary school curriculum. And I'm suggesting that's what we need to do.

There's another report I'd like to call to your attention because it is written from a Black perspective. That is the Joint Center for Political Studies' report "A Policy Framework for Racial Justice." In 1981 and 1982, prominent Black scholars met in Tarrytown, New York and then came here to Wingspread in March 1983 to bring their concerns as Black scholars to the leadership forum. Out of their deliberations emerged a statement setting forth three areas of urgent concern: the economy, the Black family and education. And in the education section, in the context of education as a tool for achieving racial justice, they specifically said that "educational policy should include workable vocational education programs."

People who are seriously concerned about the future of this country understand that within our present educational delivery system, there is a subsystem which impacts significantly on us as Black people. This subsystem is the most racist and sexist in our entire education system, serving a "gatekeeping" function at the precollege level. It is the point at which youngsters get into or are excluded from vocational technical programs—programs which can lead to very productive lives in our economy.

One of the most important issues to be addressed in vocational education is how tests are used as exclusionary devices rather than as assessment mechanisms. Let me give you a specific example. In New York City, everyone talks about Peter Stuyvesant High School, the Bronx High School of Science, Hunter High School and how kids have to take tests to get into those prestigious high schools. But no one talks about Brooklyn Tech and George Westinghouse, the vocational, technical high schools, which also require entrance exams. If you look at the list of high schools for which tests are required, you will find a significant number are vocational technical high schools. So someone understands that these programs are worthwhile, if there are built-in exclusionary devices. What we are seeing today in these schools is that Black students can get into the *school* but they can't get into the voc/ed *program* unless they took and passed a test as an eighth grader.

And the saddest part about this is that we're not even there, looking at the tests, challenging the admissions practices because historically we have wanted to stay away from vocational education because we have historical reservations. Those historical reservations are legitimate. But we cannot afford to stay out of this system. If we do, someone else will make the decisions which will eliminate our children from consideration for some of society's most productive jobs.

Can we afford to ignore vocational education? I suggest to you that we must overcome our fears and take a hard look at these programs. Some of our ambivalence comes from misconceptions of the nature of the program. For example, if I were to ask you to name the three programs that come to your mind when you think of vocational education, you would probably name something like auto mechanics, cosmetology and manual shoe repair. It is programs such as these that we have opposed, because we don't want to see our youngsters trapped in dead-end jobs. But, if you actually look at the programs supported by vocational and technical dollars, you will find that the range of occupational titles fits very neatly into growth area jobs in the service industry. The whole hospitality industry, jobs related to hotels—and I'm not talking about busboys and cooks but the jobs related to hotel management. Computer technology is another growth area that is supported with these dollars. Not just computer repair and servicing but, in many high schools, students who spend four years in a vocational, technical high school can graduate prepared to begin programming.

Why aren't our children being "tracked" into good vocational education programs? We need to find out. First, we need to get a better understanding of what happens to students who graduate from technical and vocational high schools—and we need that data broken down by race and sex—in order to understand the differences between how the system treats white students in vocational, technical programs and how it treats Black students. One of the reasons

the schools are able to get away with ignoring our children's interests in these programs is that we have not been monitoring these programs. We have not been actively advocating for vocational and technical programs.

Second, we need to watch where the money goes. We must remember that education is a state function, a local issue. The federal involvement has never accounted for more than 10% of the total picture. It is critical that we look at how our states are distributing the other 90%. While the federal legislature may target funds for vocational education to certain populations, the language requiring such commitment has been diluted, and the manner of allocating resources may still result in inequalities for Black students. The fact that only 10% of the dollars within a state spent on vocational education programs are federal dollars requires efficient and equitable use of those funds. Distribution of the other 90% coming from within the state must also be carefully monitored. If you look carefully at where most of your vocational and technical money is going today, I guarantee you will find that it goes to your suburban high schools.

I hope I have been able to open your minds to a reconsideration of vocational education. I think it is imperative that such a re-examination take place, as we move into a highly technological society where entire new fields of jobs are opening up for—or shutting out—Black children. If you share my concerns and want to think further about the importance of vocational education for Black children, I want to leave you with a few topics to consider. In the next few weeks, give some thought to the following:

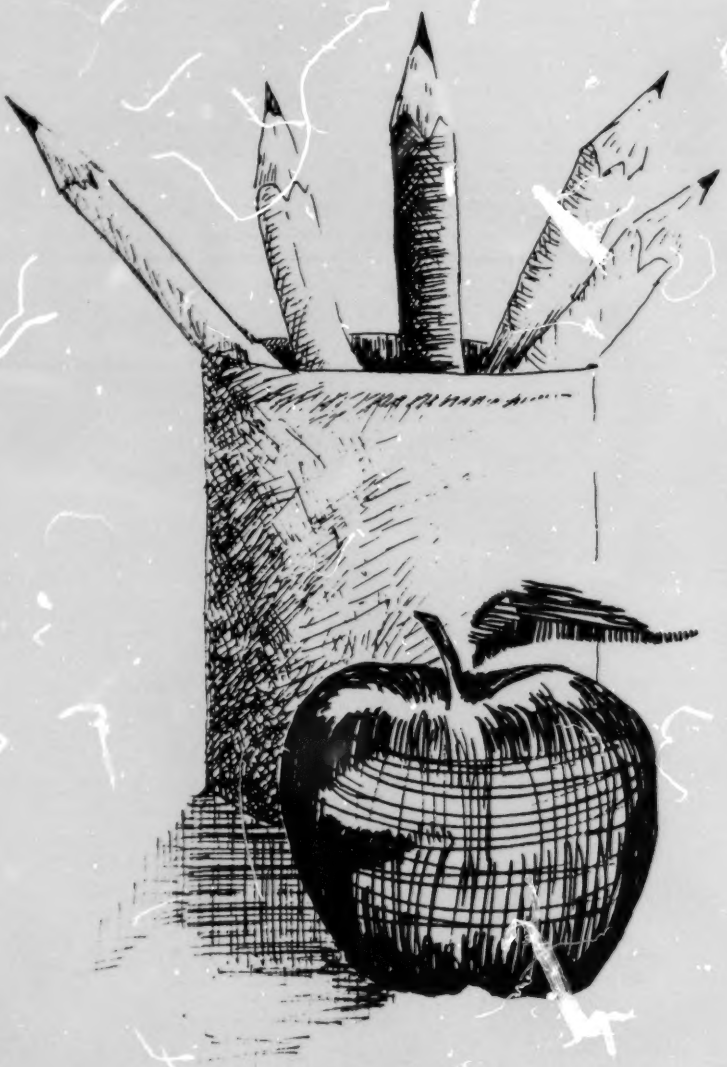
the placement practices for Black students in vocational education programs;

the relationship between our school systems and our unions: how Black students fare in apprenticeship programs for craftsmen, electricians and carpenters;

employment practices in the schools including the assignment of teachers and the availability of role models;

communication and continuity among grade schools, middle schools and vocational schools—how children get tracked.

If we can make even small progress toward reconciling the historic debate between education for an elite and mass education for economic survival, this will not be wasted time.



HOW CAN WE ADVOCATE FOR EFFECTIVE SCHOOLS?

Ronald R. Edmonds

As a social scientist, I came to the ideological and political conclusion that advocating explicitly the interests of Black students imposed on me some very substantial limitations regarding the audience I could attract, the observations I could make and the initiatives I could generate. I determined to figure out a way to pursue my interests in the educational welfare of Black children without talking about race. So, for the last ten years I have fixed my attention on social class as the measure of educational equity in the society.

The data I now collect tend to ignore race. Rather, they fix their attention on the status of the lowest income children in any educational setting. That turns out, in my judgment, to be a useful think to do for at least two reasons. First, it is useful because the educational welfare of middle-class Black children in the United States is not dramatically different from the educational welfare of middle-class white children. Second, you obscure the really important issues in some respect when you use race as the overall category. Those middle-class Black children can obscure by their individual success the extent to which the educational status of low-income Black children remains pervasively dreadful.

The great dilemma in the American educational system remains the extent to which it permits individuals to advance themselves in ways that do not affect at all the status of groups from which they come. One of the reasons that has occurred is the methodological persistence on using race as the basis for analyzing the distribution of our primary goods and services. This practice ignores the extent to which, by 1983, the changing demography of social class has rendered race a far less useful instrument for analysis than it had previously been. Moreover, if one uses social class as a measure, it's possible to advocate the interests of all such children, showing indifference to the color of those children and families who will benefit from your efforts.

The core of research which I have performed has lead me to the conclusion that how well children do in school derives primarily from the nature of the school to which they go and has relatively little to do with the nature of the family from which they come. My American social scientist colleagues and I have spent the past ten years identifying throughout the United States and the western world those public schools that are demonstrably effective in their programs of instruction for the full range of their pupil populations—even when that pupil population included either exclusively or significantly low-income and minority children.

Let me suggest how you can begin to familiarize yourself with some of the research which describes this search for effective schools. The October 1979 issue of *Educational Leadership* will introduce you in an efficient and abbreviated way to some of the most prominent school-effects researchers *and* teacher-effects researchers. The latter are very important because, in the same way that my colleagues and I identify schools that are effective, I have another group of colleagues who identify teacher-behaviors that are consistently associated with good classroom outcomes.

Throughout the United States today, there are numerous programs of school improvement predicated on the research that my colleages are doing. Another issue of *Educational Leadership*, dated December 1982, surveys programs throughout the United States that constitute school improvement efforts based on this research. If you read the Commission on Excellence report, you are aware that its members also commissioned about 40 technical papers to accompany their report. Among these is a national survey of programs of school improvement predicated on school-effects research. It turns out, to my astonishment, that there are now about 1,000 such programs in half of the 50 states.

My own research has focused consistently on the urban environment and on low-income children. What is interesting about the thousand programs of school improvement is that the overwhelming proportion of them are suburban and predominantly middle-class school districts. If I asked myself what kind of professional educators are coming to me now for information and training, I would have to say that the majority of them are now from suburban, white middle-class constituencies. Apparently, the examples from urban districts in which I've been working over the past few years have persuaded suburban white middle-class people that, if it can do all that for those benighted savages in the inner city, it ought to be able to absolutely elevate the suburban children to unprecedented

levels of accomplishment and cognition. So, while you're looking at the flow of money related to vocational education, I think it might be advisable to look at the flow of initiatives with respect to designs of school improvement.

I find it interesting that, at the same time that we are seeing the proliferation of programs of school improvement based on this research, there is also a proliferation of those of my colleagues who criticize the kind of work we do. Part of the basis for that criticism is the contention with my conclusion that how well children do in school derives primarily from the nature of the school to which they go and has relatively little to do with the family from which they come. Most of the criticism contests that conclusion. The criticism is also directed at what I perceive as being the logical consequence of that conclusion. I contend it is both appropriate and legitimate to hold educators responsible for the level of distribution of achievement in the schools over which they preside and that you can't explain depressed achievement by making reference to the disadvantaged environment from which children come.

My work depends upon testing—standardized achievement testing—and I think yours ought to also. Despite the limitations of testing—and I subscribe to these critiques—nevertheless I subscribe to using standardized achievement testing as a basis for evaluating school performance. If you think standardized achievement tests have their limitations, pathological and otherwise, I assure you that you will be far more appalled if you invest an equal amount of time in analyzing the alternative: teacher judgment.

What is needed in order to advocate for and create effective schools is the most reliable, useful, objective data you can get as a basis for making a judgment about the efficacy of any specific school in which you are interested. There are two possibilities. One way to determine the effectiveness of a school is to ask the people who run it, "How is it?" The other option is to use the distribution and level of achievement as described by pupil performance on standardized achievement tests as a disinterested way to judge for yourself whether or not the school in which you are interested is effective. I don't think it will take you very long, given these two options, to decide which will give you a more accurate portrait of the school in question.

I also want to suggest that you pay more attention to disaggregation. It is imperative that you have available data which describes not just a mean or average of achievement but how particular groups of children compare in their performance on certain tests. Once you are able to disaggregate your data, it takes you out of the arena of simply lamenting a deplorable condition and allows you to begin grounding your complaint in observations and specifics.

For example, let's presume for a moment that you are interested in children that are eligible for special education. We know placement rates for Blacks, and for Black males in particular, are abysmal. But ask the question: are there any public schools, either in your local community or anywhere else, where the placement rate is closer to what it ought to be? Disaggregation provides the methodological means by which you can find such a setting. And once you've found it, you can ask the question: what's the difference between the public school in which the placement rate for Black males is closer to what a normal distribution ought to yield as contrasted with those schools where the placement rate for Black males is 3 or 4 times what it ought to be?

Now you are able to ground your complaint in the observation that there are other public schools that are not dissimilar from the one that concerns you but in which ordinary men and women demonstrate new possibilities. And therefore, when you go to complain, you can now say, "If they can do it there, I don't see why you can't do it here."

You can also apply the notion of disaggregation to issues of sex. Let's presume you want to make the argument that girls ought to participate in higher levels of mathematics at greater rates than they do. You can choose to make that as a general complaint. But the other way you can approach the issue is to ask the question: do there exist anywhere—either in your community or elsewhere—any schools in which the actual rate for girls approaches the rate you hold as a goal? At that point, you move from a general lament of inequity to the explicit advocacy of a realistic possibility.

My summary point is this: no state of educational affairs can be construed to be permanent and unavoidable unless an analysis of the phenomenon reveals no variability in that phenomenon from one setting to another. Let me illustrate. Pick a problem that concerns you—the suspension rate for Black children, for example. Perform an analysis of the suspension rate across a broad range of schools, looking to see whether or not the rate is the same elsewhere. Be careful to control for the pupil characteristics you're interested in. If you're interested in Black boys, find schools where the proportion of Black boys is approximately the same and ask the question: what is the suspension rate in all of these schools? If it's "flat" or doesn't vary from one place to the other, you're looking at a situation that you probably can't change.

The promise I make you is that, for almost all the educational issues discussed at this conference, the rate will not be flat. It will vary dramatically from one setting to another. The implications for your advocacy efforts are profound. Now you can go to your school officials with a specific question: what is there about you and your colleagues that prevents you from doing just as well as those people over there who also work in the public schools. They work under analagous situations and yet they've been able to make a difference. I want you to explain to me why you can't duplucate their results.

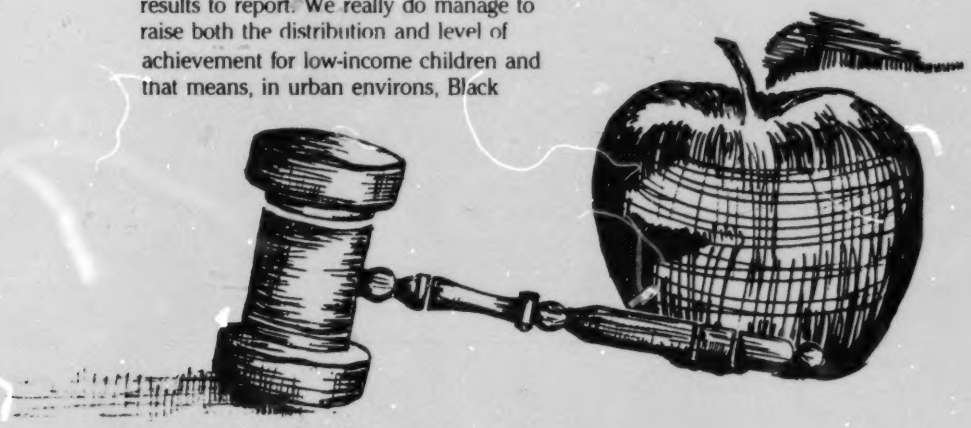
When you read the literature I have suggested, you will see illustrations of school improvement projects in Milwaukee, New York City, St. Louis, Missouri and all over the United States, many of which have truly remarkable results to report. We really do manage to raise both the distribution and level of achievement for low-income children and that means, in urban environs, Black children. There are three aspects of these programs that it is important for you to know as you go about your work in the local affiliates.

First, all programs for school improvement must begin with "baseline" data, which includes general and specific information on student performance,

Next, disaggregation must be performed to determine the proportion of the students in the various categories established and how they compare with one another;

Finally, one must analyze the presence or absence, strength or weakness of the characteristics that research has identified as most consistently associated with effective schools.

Let me conclude by pointing out the limitations to my own research. Effective schools are not to be confused with excellence in education. While standardized achievement test data can be used to analyze the effectiveness of schools, it cannot be used to determine whether or not a school is excellent because excellence is, in my respects, not measurable by standard tests or any other thing. And while I want to make you aware of the limitations, I also want to encourage you to work with what we've got. Excellence is the end toward which we all aspire but effectiveness may be the prerequisite to excellence.



RECOMMENDATIONS

Parents:

- should familiarze themselves with the following characteristics that research has identified as most consistently associated with effective schools and use this knowledge to inform themselves as educational consumers. These characteristics include:

  strong principals who are both administrative and instructional leaders;

  a safe and orderly climate;

  emphasis on instruction in basic skills in mathematics and reading;

  high expectations by teachers of students' ability to achieve;

  systematic evaluation of student progress.

- should routinely question the assignment of their child to a "special program" and should ask for proof that the child is, for example, educably mentally retarded. Parents should also realize that IQ and achievement test scores are not performance criteria and hold the danger of becoming self-fulfilling prophecies. Parents should always ask how the child is mastering the tasks assigned and how the task was taught to the child before he or she was tested on the material.
- should not allow a child to be moved from one program to another without feeling reasonably assured that the proposed instructional plan will actually result in the child's progress toward valid educational goals.
- should insist that the school explain the proposed "treatment" as it relates directly and specifically to the child's problem. Parents should ask such questions as: is there reason to believe that the child's academic performance will be improved by removing him or her from the main program? Is there reason to believe the proposed treatment will result in improved academic performance? How will the child's progress be measured? How will the program be evaluated to see that it is meeting the child's needs?
- should determine that the placement of the child and the remedial plan match the child's needs, not the school's available resources or structure.
- should insist on regularly scheduled meetings with the teacher or counselor to monitor the child's progress and to determine when the child can be returned to the regular program or can be advanced to the next level within the special program.
- should ask counselors and teachers about vocational education opportunities available to their children and the new careers tied to this training.

Advocates:

- should form parent/advocate buddy systems to accompany parents to teacher/counselor meetings.
- should form citizen review committees composed of appropriate local professionals and advocates for the purpose of examining and critiquing tests.
- should familiarize parents in their area with the characteristics that research has identified as most consistently associated with effective schools and use this knowledge to compare the relative effectiveness of schools in their area.
- should convene community summits to advise Black parents and community leaders of their rights as taxpayers and as educational consumers. Advocates should take the lead in pointing out local problems and identifying constructive solutions to persistent problems in the school system.
- should be aware of the misuse of tests which results in the exclusion of Black students from vocational education programs. Advocates should also actively monitor voc/ed programs and should advocate for them.
- should monitor the allocation of state vocational education monies to determine whether inner city and predominantly Black schools are getting allocations equal to suburban and predominantly white schools.
- should monitor the flow of initiatives regarding the funding and design of school improvement programs to determine whether predominantly Black schools are being considered equally with predominantly white schools.
- should insist that all students who have completed their course work with passing grades have a right to graduate from high school.
- should insist that competency tests that are linked to high school graduation requirements permit a "phase in period," to allow students and teachers to prepare for the introduction of these new tests.

- should monitor remedial programs, especially state-based programs, and should insist on a clear articulation of standards, expectations and requirements.
- should work to increase public awareness about vocational education in their local communities and to help parents and students arrive at a fair consideration of vocational education as a legitimate option leading to well paid, highly skilled jobs.

Schools:

- should implement an "effective school" program per the criteria described above.

  should involve parents in program planning for their children and in course selection.
- should review carefully their strategies for achieving excellence to ensure that goals of access and integration are part of their plan.
- should compare their effectiveness in teaching various groups of children with that of other schools in their district to determine if other methods or curricula would improve their performance.
- should evaluate their curricula on a regular schedule to determine whether or not there are valid links between teaching and testing.
- should integrate workable vocational education programs into secondary curricula and should assure equal access to these programs for all students regardless of race, sex and income.
- should comply with legal requirements for parental involvement in local special education programs.
- should disseminate information to parents about vocational education programs available at the local, state and regional levels.

Policymakers:

- at the state and local levels should work to ensure that federal civil rights statutes are understood and are being systematically enforced in their jurisdictions.
- should provide regular opportunities for parents and advocates to participate in educational planning and critique at all levels of government.
- should hold hearings to learn of parents' concerns and experiences in seeking viable educational opportunities for their children.
- should protect and promote those educational programs which have consistently allowed disadvantaged and low income children to achieve and develop their talents.
- should insist that data related to educational placement and achievement be kept by sex and race at all schools and that this data be made available to all researchers and advocates who wish to monitor the relative effectiveness of schools in teaching various groups of children.
- should review all allotments of funds related to education to ensure that adequate mechanisms are included to assure equal funding for schools with lower income and minority children.
- should assure equal access to vocational education programs for all children.

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ABOUT NBCDI

NBCDI is a non-profit, national, charitable and educational organization dedicated to improving the quality of life for Black children.

Through its Affiliate Network, located in 35 major urban centers throughout the United States, NBCDI relies on committed volunteers to monitor public policy, advocate for a better quality of life for Black children and provide needed services in their communities.

Founded in 1970, NBCDI continues to focus on three major policy areas: child care, child welfare and education. Affiliates, however, have expanded their advocacy and services beyond these three areas to include such issues as health and nutrition; infant mortality; child abuse and neglect; and teenage pregnancy.

In all these areas of concern, NBCDI works with its affiliates to:

- provide needed services to Black children and their families;
- educate the public about policy issues which affect Black children;
- produce timely research materials about the Black child;
- convene forums to discuss current issues facing the Black community.

NBCDI's numerous publications keep members and other concerned individuals and organizations informed about issues affecting the lives of Black children, including the status of legislation in both the House and Senate.

NBCDI membership is open to all interested persons. Our members include mothers and fathers, educators, community activists, social workers, physicians, ministers, national policymakers and opinion leaders, among others.

NBCDI PUBLICATIONS

Who Bears the Burden? Black Children In America: Impact of the President's FY 85 Budget Proposal. A 65-page report that details the proposed cuts for FY 85 in three major areas: Health and Child Nutrition, Education and Head Start and Family Supports. The predicted impact of these cuts on selected programs and Black children is examined. Tools for action including surveys and letters are offered along with brief descriptions of the programs. This report also outlines accumulated budget cuts from FY 82 through FY 84. 66pp. 1984. $5.75 each.

Budget Cuts and Black Children: A Response to the President's Budget for Fiscal Year 1984. A 72-page report that details proposed cuts in twelve major areas, from Adoption and Foster Care to Vocational Education. This report also outlines the impact of these cuts on Black children and offers ideas for advocacy efforts to counteract the cruel attack on Black children and families. 72pp. 1983. $4.50 each.

A Child Waits: A Conference Report on Black Adoptions. This report addresses a problem which has reached crisis proportions in the United States: the inability of the child welfare system to find homes for Black children. The report is the result of a leadership conference held in May, 1983 which brought together leading child welfare advocates and practitioners from Black communities across the country. 16pp. 1983. $350 each.

The Status of Black Children in 1980. Highlights the conditions of Black children in such critical areas as child care, education, health, youth unemployment and child welfare. 29pp. 1980. $2.50 each.

NBCDI Annual Calendar of Black Children. Features Black historical dates, verses written by Black poets, as well as photographs of Black children. $5.50 each. (Available beginning in October of each year until all calendars have been sold.)

All prices include postage and handling.

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Judy Williams
Bruce Monroe Elementary School
Washington, D.C.

CONFERENCE PARTICIPANTS

Nancy A. Boxill
President
National Black Child Development Institute—Atlanta
760 Ashby Street, S.W.
Atlanta, Georgia 30310

Walter R. Byrd
Juvenile Court Counselor
Vice President
National Black Child Development Institute—Greensboro
1408 Paxton Court
Greensboro, North Carolina 27405

Eleanor F. Campbell
President
National Black Child Development Institute—Pittsburgh
1301 Grotto Street
Pittsburgh, Pennsylvania 15206

Louise Cribbs
Public Relations Director
Afro-American Community Broadcasting, Inc.
527 Cottage Street
Waterloo, Iowa 50703

Emeral Crosby
Member
National Commission on Excellence in Education
Northern High School
9026 Woodward
Detroit, Michigan 48202

Carla M. Curtis
Public Policy Analyst
National Black Child Development Institute
1463 Rhode Island Avenue, N.W.
Washington, D.C. 20005

Clarence Daniels
Attorney
Office of Legal and Legislative Services
District of Columbia Public Schools
415 12th Street, N.W., Suite 1114
Washington, D.C. 20004

Bernette DeCoux
Representative
Jack and Jill of America, Inc.
1515 Earlham Drive
Dayton, Ohio 45408

Ronald R. Edmonds
Professor
College of Education
Michigan State University
259 Erickson Hall
East Lansing, Michigan 48824

Jean Fairfax
Director
Division of Legal Information and Community Service
NAACP Legal Defense and Educational Fund
10 Columbus Circle
Suite 2030
New York, New York 10019

Liz L. Forge
Chairperson
National Black Child Development Institute—Compton
1520 South Atlantic Drive
Compton, California 90221

Carol Gibson
Director of Career Training and Economic Resources
National Urban League, Inc.
500 East 62nd Street
New York, New York 10021

William Gillon
National Black Child Development Institute—Champaign–Urbana
713 Ashton Lane North
Champaign, IL

Robert Grant
President
National Black Child Development Institute—Miami
13105 S.W. 110th Avenue
Miami, Florida 33176

Drue Shropshire Guy
Deputy Superintendent
Racine Unified School District
2220 Northwestern Avenue
Racine, Wisconsin 53404

Elaine M. Henry
Public Policy Chairperson
National Black Child Development Institute—Plainfield
694 West 4th Street
Plainfield, New Jersey 07069

Frances Yvonne Hicks
Vice President
National Black Child Development Institute—Washington
2480 16th Street, N.W. #641
Washington, D.C. 20009

Asa G. Hilliard
Fuller & Calloway Professor of Urban Education
Georgia State University
Post Office Box 243
Atlanta, Georgia 30303

Meldon Hollis
Office of Special Assistant
to the President
Harvard University
Room 966-Holyoke Center
Cambridge, Massachusetts 02138

Cothron L. Huey-Ray
Member, Public Policy Committee
National Black Child Development
Institute—Seattle
1508 22nd Avenue, South
Seattle, Washington 98144

Richard Jefferson
Attorney
Center for Law and Education
6 Appian Way
Cambridge, Massachusetts 02138

Valata Jenkins-Monroe
President
National Black Child Development
Institute-San Francisco Bay Area
Clinical and Training Coordinator
Institute for Development Studies
1322 Webster Street, Suite 311
Oakland, California 94612

Mercedes King
National Black Child Development
Institute—Washington
Executive Director
District of Columbia Citizens for
Better Public Education
921 Pennsylvania Avenue, S.E. Room 109
Washington, D.C. 20003

Iris Lanham
Affiliate Coordinator
National Black Child Development
Institute
1463 Rhode Island Avenue, N.W.
Washington, D.C. 20005

Gwendolyn D. Laroche
Director, Education Department
Chicago Urban League
National Black Child Development
Institute—Chicago
4500 South Michigan Avenue
Chicago, Illinois 60653

Deborah Martin
National Black Child Development
Institute—Pittsburgh
447 Reed Street
Clairton, Pennsylvania 15025

Evelyn K. Moore
Executive Director
National Black Child Development
Institute
1463 Rhode Island Avenue, N.W.
Washington, D.C. 20005

Ayolawa Munirah
National Black Child Development
Institute—Compton
20525 South Campaign Drive #825
Carson, California 90747

Tony Orange
Chairperson
National Black Child Development
Institute—Seattle
1409 32nd Avenue, Apt. #3
Seattle, Washing 98122

Henrietta C. Parks
National Black Child Development
Institute—San Diego
344 Los Alamos
San Diego, California 92114

Fannie Patterson
Chairperson
National Black Child Development
Institute—Champaign/Urbana
1307 West Beardsley
Urbana, Illinois 61801

Louise Peterson
National Black Child Development
Institute—Los Angeles
1873 Denwall Dr.
Carson,CA 90746

Mary E. Rhodes
President
National Black Child Development
Institute—East St. Louis
1200 North 13th Street
East St. Louis, Illinois 62205

Janice Rollins
Public Policy Chairperson
National Black Child Development
Institute—Los Angeles/South Bay
2057 West 109th Street
Los Angeles, California 90047

Glovioell W. Rowland
National Black Child Development
Institute- Pasadena / Altadena
Assistant Professor of
Psychology
Graduate School of Psychology
Fuller Theological Seminary
Pasadena, California 91101

Patricia S. Smith
First Vice President
National Black Child Development
Institute—Miami
President
Southern Association on Children
Under Six
53 N.W. 68th Street
Miami, Florida 33150

Alma Stallworth
State Representative
President
National Black Child Development
Institute—Detroit Metro
19793 Sorrento
Detroit, Michigan 48235

Thomas Stallworth
National Black Child Development
Institute—Detroit
12512 Dexter
Detroit, Michigan 48238

Margaret S. Staples
Second Vice-President
National Black Child Development
Institute—Miami
10305 S.W. 152 Terrace
Miami, Florida 33157

Barbara M. Stepp
President
National Black Child Development Institute—Greensboro
7 Lynhaven Court
Greensboro, North Carolina 27406

Zakiya M. Stewart
Public Policy Chairperson
National Black Child Development Institute—Seattle
316 30th Avenue
Seattle, Washington 98122

Adella Thomas
National Black Child Development Institute— San Francisco Bay Area
Program Specialist
Parent-Child Development Centers, Inc
2619 Broadway
Oakland, California 94612

Joan Ellis Tillman
President
National Black Child Development Institute—Washington Metropolitan Area
6101 16th Street, N.W.
Washington, D.C. 20011

Betty Tony
National Black Child Development Institute—Dayton
731 Clarkson Avenue
Dayton, Ohio 45408

Eula Turner
Vice President for Program and Policy
National Black Child Development Institute—Triangle Area Affiliate, Inc.
Post Office Box 773
Garner, North Carolina 27529

Evelyn M. Turner
President
National Black Child Development Institute—Triangle Area Affiliate, Inc.
3302 Quail Hollow Drive #204
Raleigh, North Carolina 27609

Merlene Vassall
Administrative Assistant
National Black Child Development Institute
1463 Rhode Island Avenue, N.W.
Washington, D.C. 20005

Muriel C. Vaughn
Public Policy Analyst
National Black Child Development Institute
1463 Rhode Island Avenue, N.W.
Washington, D.C. 20005

Patricia O. Williams
Public Policy Chairperson
National Black Child Development Institute—Greensboro
2018 Niagara Street
Greensboro, North Carolina 27405

Gloria Wilson
Chairman, Steering Committee
National Black Child Development Institute—Pasadena/Altadena
Post Office Box 1865
Altadena, California 91001

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